

## **REMARKS**

Herein, the "Action" or "Office Action" refers to the Final Office Action dated 8/27/2004.

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-21, 24-33, 42, 45-51, 54-58 are presently pending. Claims amended herein are 1, 4, 19, 42, and 50. Claims withdrawn or cancelled herein are 22, 23, 34-41, 43, 44, 52, 53. New claims added herein are none.

### **Formal Claim Rejections**

## Claim Rejections under §112

The Office rejects claims 4 and 36 because they recite "data structures" without providing sufficient antecedent basis for it. Applicant amends these claims so that they correctly recite the singular "data structure" instead of the plural.

## **Substantive Claim Rejections**

#### **Claim Rejections under §103**

The Office rejects all of the pending claims under §103. For the reasons set forth below, the Office has not shown that rejected claims are obvious (under §103). Accordingly, Applicant respectfully requests that the rejections be withdrawn and the case be passed along to issuance.

The Office's rejections are based upon the following references:

- **Fields:** *Fields et al.*, US Patent No. 6,605,120 (issued Aug. 12, 2003);
  - **Lynch:** *Lynch et al.*, US Patent No. 6,558,431 (issued May 6, 2003);
  - **Motoyama:** *Motoyama et al.*, US Patent No. 6,085,196 (issued June 4, 2000).

## **Overview of the Application**

The Application describes a technology for facilitating the automated generation of input-validation software filters. The Application describes at least one implementations that provides a convenient graphical user interface (GUI). With this GUI, a user is able to quickly enter a set of parameters defining valid inputs. Conversely, the parameters may define invalid input.

From the entered parameters, the implementation *automatically* generates input-validation filters for filtering input from computing components. With this implementation, the user does not manually generate filtering instructions *per se* — she only specifies a high-level description of what should be filtered, not how; thus, the user does not need to be familiar with any specific filtering language.

## **Cited References**

The Office cites Fields as its primary reference and Lynch as its secondary reference in all of its obviousness-based rejections.

Fields

1           Fields describes a technology for automatically defining a filter used to  
 2 extract web content for a web page, wherein the extracted content is used in a  
 3 recast web page.  
 4

5           The recast web page may be produced by a hosting site, or may be part of  
 6 an effort to revise a web site at a web content provider. First, a set of pages,  
 7 possibly a single page, is retrieved from a content provider web server. Next, the  
 8 web page is parsed to identify a set of selectable content elements. Next, a  
 9 representation of the original web page is presented in a user interface, wherein the  
 10 selectable content elements are demarcated. The user will select some of the  
 11 elements for inclusion in the filter through the user interface, whereby the tool will  
 12 indicate the selected content elements for inclusion in the filter.  
 13

14           Fields discloses the construction of the filter so that when the filter is used,  
 15 the selected content elements are extracted from a retrieved web page from the  
 16 content provider web server and reused in the recast web page. As part of the  
 17 process of identifying the selectable content elements, a set of varied headers can  
 18 be used to retrieve multiple versions of the same web page. In this way, the  
 19 multiple versions of the web page are compared to identify static and dynamic  
 20 content elements and marked as static or dynamic.  
 21

Lynch

22           Lynch describes an editor for allowing web authors to edit HTML visually  
 23 while preserving the HTML source document.  
 24

25           The editor preserves the structure and format of the HTML, and permits  
 simultaneous modeless visual and source document editing. When an edit is made  
 26

421 West Riverside, Suite 500  
 Spokane, WA 99201  
 P: 509.324.9256  
 F: 509.323.8979  
 www.leehayes.com



1 with the invention, only the HTML source around that edit is updated, rather than  
2 rewriting the whole HTML source document.

3 Furthermore, when an edit is made, the new HTML source code is  
4 outputted in a format that is specified by the user. In order to preserve the format  
5 of the document, format information is stored in the parsed tree. The format of the  
6 node is preserved when its source is regenerated; edits to the node will reformat it  
7 according to user preferences. In order to preserve the structure of the document,  
8 invalid HTML structures are maintained and not corrected.

9 The editor will either support the invalid structure by reflecting such  
10 structure in the parsed tree, and thus allow for editing of the structure, or the  
11 invention will not support such a structure, and represent such structures as invalid  
12 nodes. Moreover, the editor also maintains structure while editing, as the structure  
13 and format of the document is only minimally modified during editing, i.e. only  
14 the nodes affected by the edits are restructured and reformatted, and the remainder  
15 of the document is unmodified

421 West Riverside, Suite 500  
Spokane, WA 99201  
P: 509.324.9256  
F: 509.323.8979  
[www.leehayes.com](http://www.leehayes.com)



Serial No.: 09/887,524  
Atty Docket No.: MS1-744US  
RESPONSE TO NON-OFFICE ACTION DATED  
8/27/2004

## Obviousness Rejections

### Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

Applicant disagrees with the Office's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a *prima facie* case have not been met.

The Office rejects claims 1-4, 6-20, 22-36, and 38-58 under USC § 103(a) as being unpatentable over by **Fields** in view of **Lynch**. Furthermore, the Office rejects claims 5, 21, and 37 under USC § 103(a) as being unpatentable over by **Fields** in view of **Lynch** and further in view of **Motoyama**.

Applicant respectfully traverses the rejections of these claims. For the foregoing reasons, Applicant asks the Office to withdraw its rejections of these claims.

### Claims 1, 19, 42, 50, and 54

With Office's cites to the references provided in brackets, amended claim 1 recites:

obtaining input-description-data. [**Fields**, col. 5, lines 15-25] which define the properties of valid input directly provided by a computing component without human intervention; [**Lynch**, col. 3, lines 30-60]

transforming the input-description-data into a data structure, wherein the data structure is an organized representation of the input-description-data; [**Fields**, col. 5, lines 15-25]

with from the organized representation of the input-description-data of the data structure. [**Fields**, col. 5, lines 20-25] automatically generating a set of instructions for filtering input directly provided by a computing component without human intervention [**Fields**, col. 5, lines 1-

421 West Riverside, Suite 500  
Spokane, WA 99201  
P: 509.324.9256  
F: 509.323.8979  
www.leehayes.com

**lee & hayes**

1           **[30] based upon the properties of valid input defined by the input-  
2           description-data. [Lynch, col. 3, lines 30-60]**

3           With Office's cites to the references provided in brackets, amended claims  
4           19 and 50 recites:

5           obtaining input-description-data, [Fields, col. 5, lines 15-25]  
6           which define the properties of valid input provided by a computing  
7           component; [Lynch, col. 3, lines 30-60]

8           transforming the input-description-data into a data structure;  
9           **[Fields, col. 5, lines 15-25]**

10           storing the data structures in a persistent form;

11           automatically generating a set of instructions for filtering input  
12           provided by a computing component based upon the properties of valid  
13           input defined by the input-description-data, [Fields, col. 5, lines 1-30]  
14           wherein the generating acquires the properties for generating the set of  
15           instructions from the data structure. **Fields, col. 5, lines 20-25]**

16           With Office's cites to the references provided in brackets, amended claim  
17           42 recites:

18           an user interface for obtaining input-description-data, [Fields, col.  
19           5, lines 15-25] which define the properties of valid input provided by a  
20           computing component; **Lynch, col. 3, lines 30-60**

21           a transformer configured to transform the input-description-data  
22           into a data structure; **[Fields, col. 5, lines 15-25]**

23           a memory wherein the memory is configured to store the data  
24           structure;

25           a filter-instructions automatic generator ("autogen") configured to  
          automatically generate a set of instructions for filtering input provided by a  
          computing component **[Fields, col. 5, lines 1-30]** based upon the  
          properties of valid input defined by the input-description-data, wherein the

421 West Riverside, Suite 500  
Spokane, WA 99201  
P: 509-324-9256  
F: 509-323-8979  
www.leehayes.com

leee&hayes

1                   filter-instructions autogen is further configured to acquire the properties  
 2                   from the data structure when automatically generating the set of  
 3                   instructions.[Fields, col. 5, lines 20-25]

4                   With Office's cites to the references provided in brackets, claim 54 recites:

5                   obtaining input-description-data, [Fields, col. 5, lines 15-25]  
 6                   which define the properties of valid input provided by a computing  
 7                   component; [Lynch, col. 3, lines 30-60]

8                   automatically generating a set of instructions for filtering input  
 9                   provided by a computing component based upon the properties of valid  
 10                  input defined by the input-description-data. [Fields, col. 5, lines 1-30]

11                  Applicant submits that the combination of **Fields** and **Lynch** does not  
 12                  disclose all of the elements and features of the rejected claims. In particular,  
 13                  Applicant submits that neither reference discloses:

- 14                  • “from the organized representation of the input-description-data of  
                       the data structure, automatically generating a set of instructions...”  
                       [claim 1];
- 15                  • “wherein the generating acquires the properties for generating the set  
                       of instructions from the data structure.” [claims 19, 50, and 54]
- 16                  • “wherein the filter-instructions autogen is further configured to  
                       acquire the properties from the data structure when automatically  
                       generating the set of instructions” [claim 42]

17                  In addition, Applicant submits that neither reference discloses the automatic  
 18                  generation of a set of instructions for filtering input. Instead, Fields discloses the  
 19                  automatic generation of “filter definitions,” which are not instructions.

421 West Riverside, Suite 500  
 Spokane, WA 99201  
 P: 509.324.9256  
 F: 509.323.8979  
[www.leehayes.com](http://www.leehayes.com)

**lee & hayes**

1      **FROM the data structure**

2      In the Action (p. 3, line 3), the Office says, "...the HTML source is  
 3      transformed into an HTML template." In the next sentence, the Office says, "The  
 4      HTML source [of Fields] is represented as the *input-description-data* [of the  
 5      present claims]." In the next sentence, the Office says, "An HTML template [of  
 6      Fields] is represented as the *data structure* [of the present claims]."

7      With these definitions provided by the Office, one may read claim 1 (for  
 8      example) in the following manner:

9                obtaining "HTML source" [input-description-data]...;  
 10               transforming the "HTML source" into a "HTML template" [data  
 11               structure], wherein the "HTML template" is an organized representation of  
 12               the HTML source".

13               However, again using Office's definitions, one may read the rest of claim 1  
 14               (for example) in the following manner:

16               obtaining "HTML source" [input-description-data]...;  
 17               transforming the "HTML source" into a "HTML template" [data  
 18               structure], wherein the "HTML template" is an organized representation of  
 19               the HTML source"  
 20               from the "HTML template" [data structure], automatically  
 21               generating a "filter definitions" [set of instructions].

22               However, Applicant submits that Fields does not generate its "filter  
 23               definitions" from the "HTML template" [data structure]. Rather, Fields  
 24               generates its "filter definitions" from parsing of the "HTML source" [input-  
 25               ]

421 West Riverside, Suite 500  
 Spokane, WA 99201  
 P: 509.324.9256  
 F: 509.323.8979  
[www.leehayes.com](http://www.leehayes.com)

**lee&hayes**

1 description-data]. In col. 9, lines 58-64, **Fields** discusses "filter definition"  
 2 creation [with emphasis added]:

3 The document filters can be created through several methods,  
 4 including the analysis of the HTML source code, imbedded comments or  
 5 delimiters and through comparisons with similar documents. Once the  
 6 style of the web site is understood, a filter can be developed to look for  
 7 the portion of the original document in which the hosting site is  
 8 interested in reformatting.

9 Applicant submits that **Fields'** "filter definitions" are not produced by  
**Fields** from its "HTML template", rather the definitions are produced by parsing  
 10 its "HTML source." Therefore, **Fields** does not disclose what these claims recite.

11 **Set of Instructions ≠ Filter Definition**

12 **Fields** discloses the generation of "filter definitions." These claims recite  
 13 the generation of a "set of instructions." Applicant submits that **Fields'** "filter  
 14 definitions" are not the same as the recited "set of instructions."

15 As discussed by **Fields** from col. 12, line 48 through col. 22, line 24 and by  
 16 U.S. Patent Application Serial No. 09/113,678, entitled "Distribution Mechanism  
 17 For Filtering, Formatting and Reuse of Web Based Content" (which is  
 18 incorporated by reference into **Fields**), "filter definitions" are data and not a set of  
 19 commands (which a "set of instructions" is).

20 Applicant submits that **Fields'** "filter definitions" are not a "set of  
 21 instructions" as recited in the claims, rather the definitions are data and  
 22 information.

23 Applicant respectfully submits that the Office has not shown that the  
 24 combination of the cited references discloses all of the claimed features and

421 West Riverside, Suite 500  
 Spokane, WA 99201  
 P: 509.324.9256  
 F: 509.323.8979  
[www.leehayes.com](http://www.leehayes.com)



elements. Accordingly, Applicant asks that the Office withdraw its rejection of these claims.

**Claims 2-18**

These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable.

In addition to its own merits, each of these dependent claims is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each of these dependent claims because its base claim is allowable.

**Claims 20, 21, 24-33**

These claims ultimately depend upon independent claim 19. As discussed above, claim 19 is allowable.

In addition to its own merits, each of these dependent claims is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each of these dependent claims because its base claim is allowable.

**Claims 46-49**

These claims ultimately depend upon independent claim 42. As discussed above, claim 42 is allowable.

In addition to its own merits, each of these dependent claims is allowable for the same reasons that its base claim is allowable. Applicant submits that the

421 West Riverside, Suite 510  
Spokane, WA 99201  
P: 509.324.9256  
F: 509.323-8879  
[www.leehayes.com](http://www.leehayes.com)



1 Office withdraw the rejection of each of these dependent claims because its base  
 2 claim is allowable.

3

4 **Claim 51**

5 This claim ultimately depends upon independent claim 50. As discussed  
 6 above, claim 50 is allowable.

7 In addition to its own merits, this dependent claim is allowable for the same  
 8 reasons that its base claim is allowable. Applicant submits that the Office  
 9 withdraw the rejection of this dependent claim because its base claim is allowable.

10

11 **Claims 55-58**

12 These claims ultimately depend upon independent claim 54. As discussed  
 13 above, claim 54 is allowable.

14 In addition to its own merits, each of these dependent claims is allowable  
 15 for the same reasons that its base claim is allowable. Applicant submits that the  
 16 Office withdraw the rejection of each of these dependent claims because its base  
 17 claim is allowable.

421 West Riverside, Suite 500  
 Spokane, WA 99201  
 P: 509.324.9256  
 F: 509.323.8979  
[www.leehayes.com](http://www.leehayes.com)

**lee & hayes**

Serial No.: 09/887,524  
 Atty Docket No.: MS1-744US  
 RESPONSE TO NON-OFFICE ACTION DATED  
 8/27/2004

25

1022041122 G:\MST\01744us\MS1-744us.m01.doc  
 city: Kasey C. Christie

#### **Dependent Claims**

In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each dependent claim where its base claim is allowable.

### **Conclusion**

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

By:

Kasey C. Christie  
Reg. No. 40559  
(509) 324-9256 x232  
[kasey@leehayes.com](mailto:kasey@leehayes.com)  
[www.leehayes.com](http://www.leehayes.com)

West Riverside, Suite 500  
Spokane, WA 99201  
P: 509.324.9256  
F: 509.323.8979  
[www.bethseys.com](http://www.bethseys.com)

lees & hayes

**Serial No.: 09/887,524  
Atty Docket No.: MS1-744US  
RESPONSE TO NON-OFFICE ACTION DATED  
8/27/2004**

26

1022041122 G:\MST\01744us\MSI-744us.m01.doc

atty. Kasey C. Christie